

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOSEPH SPENCER

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Criminal No. 09-00009


AMENDED ORDER OF COURT

AND NOW, upon due consideration of the defendant's Motion for Continuance for the Purposes of a Pre-Plea Presentence Report,

IT IS ORDERED that the motion is GRANTED;

IT IS FURTHER ORDERED that the United States Probation Office shall prepare a presentence investigation report in this matter with respect to defendant's criminal history and shall serve the report upon counsel for the defendant and counsel for the government on or before July 6, 2009, unless such time is extended pursuant to Order of this Court;

IT IS FURTHER ORDERED that the time occasioned by this motion is deemed to be excluded under the Speedy Trial Act, because the Court finds that the failure to grant this continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(8)(B)(iv). The Court further finds that the ends of justice served by granting this motion are in the best interest of the defendant and outweigh the best interest of the public in a speedy trial. 18 U.S.C. §3161(h)(8)(A).



Gary L. Lancaster J

cc: Counsel of Record
United States Probation Office

Dated: May 5, 2009